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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/752,817	01/03/2001	Shunpei Yamazaki	12732-003001/US4564	9971
26171	7590	11/29/2005	EXAMINER	
FISH & RICHARDSON P.C. P.O. BOX 1022 MINNEAPOLIS, MN 55440-1022			NGUYEN, CHANH DUY	
			ART UNIT	PAPER NUMBER
			2675	

DATE MAILED: 11/29/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/752,817	YAMAZAKI ET AL.	
	Examiner	Art Unit	
	Chanh Nguyen	2675	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 22 June 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 5-39 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 5-39 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Response to Amendment

1. The amendment filed on June 22, 2005 has been entered and considered by examiner.

Information Disclosure Statement

2. The references listed on the Information Disclosure Statements filed on June 22, 2005 has been considered by examiner; see attached PTO-1449.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

5. Claims 5, 7-10, 12, 13-15, 17-20, 22-26, 28-31, 33-37 and 39 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kim et al. (6,265,833) in view of Ikeda et al. (5,714,968).

With regard to claim 5, Kim et al. teaches a display system comprising: a light-emitting device (figure 1, item 5) comprising plurality of pixels; each of said plurality of pixels having at least an EL element (column 1, lines 10-16 and column 9, lines 57-63)', a sensor for obtaining an information signal of an environment (figure 1, item 1), a CPU for converting an electrical signal supplied from said sensor into a correction signal (figure 1, item 3), and a voltage changer for controlling a corrected potential based on said correction signal (figure 1, item 4).

With further regard to claim 5 Kim et al. does not illustrate the details of his EL display device such as "wherein said voltage changer is electrically connected to the EL element of each of the plurality of pixels via a switch".

Ikeda teaches the voltage changer (34) is electrically connected to the EL element of each of the plurality of pixels (20, 21) via a switch (22) (see figure 10).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to use the active EL matrix display details as illustrated by Ikeda when implementing the system items 4 and 5 of Kim et al. because Kim et al. lacks these specific manufacturing details directed towards the actual EL circuit within the display therefore one of ordinary skill would have been motivated to simply use Ikeda active matrix to the display device of Kim because active matrix display device of Ikeda

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is capable of prolonging light emission of the light emitting elements, thereby protect a user from uncomfortable of the light flickering (see column 2, lines 7-13 of Ikeda) .

With regard to claim 7, the combination of Kim et al and Ikeda teaches a display system according to claim 5, wherein said light-emitting device, said sensor, said CPU and said voltage changer are formed on a same substrate (See Kim et al. since figure 1 illustrates all the claimed pads in one illustration it is obvious that they are capable of sharing a common substrate (substrate) while enclosed above said common surface of an enclosure).

With regard to claim 8, the combination of Kim et al. and Ikeda teaches a display system according to claim 5, wherein said light-emitting device is an EL display device (See Kim et al. figure 1, item 5, column 1, lines 10-15).

With regard to claim 9, the combination of Kim et al. and Ikeda teaches a display system according to claim 5, wherein said display system is incorporated in one selected from the group consisting of a video camera, a digital camera, a head-mount display, a car navigation system, a portable telephone, an image reproduction apparatus, a car audio equipment, and a personal computer (See Kim et al. column 10, lines 21-34 and further these specific uses of the display are viewed as merely being recitations directed towards an OBVIOUS INTENDED USED of the display).

With regard to claim 10, the combination of Kim et al. and Ikeda et al. was shown above to read on most of these limitations and in addition the combination of Kim et al. and Ikeda et al. teaches an EL element having two electrodes with an EL layer interposed there between (see Ikeda. Figures 10-12) ; a current control TFT (22-23)

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electrically connected to one of said two electrodes of said EL element (i.e. TFT 22 connected to top of EL element 20), a voltage changer (34) connected to the other of the two electrodes of EL element (i.e. 34 connected to bottom of EL element 20) wherein a potential applied to the other of said two electrodes of said EL element.

With regard to claim 12, these limitations were addressed in claim 9.

With regard to claim 13, the combination of Kim et al. and Ikeda et al. was shown above to read on most of these limitations and in addition the combination of Kim et al. and Ikeda et al. teaches said thin film transistor comprising at least an active layer and a gate electrode adjacent to said active layer with a gate insulating film interposed there between ; an EL element comprising at least an EL layer between an anode and a cathode, one of said anode and said cathode being electrically connected to said active layer (See Ikeda et al. figures 12 and 16 and see column 10, line 33 though column 11, line 20).

With regard to claim 14, these limitations were addressed in claim 7.

With regard to claim 15 ,the combination of Kim et al. and Ikeda. suggest an active matrix display device according to claim 13, wherein said sensor comprises a CCD or a photo-diode (See Kim et al. figure 1 item 1 an optical sensor responsive to light . It is known in the art that light sensor of Kim including CCD or photo-diode).

With regard to claim 17, these limitations were addressed above in claim 9.

With regard to claims 18-20, 22-24, 26, 28-31, 33-35, 37, and 39 the combination of Kim et al. and Ikeda. were shown above to read on these limitations.

With regard to claims 25 and 36 the combination of Kim et al. and Ikeda suggest an active matrix display device according to claim 23, further comprising an A/D converter interposed between said sensor and said CPU, and a D/A converter interposed between said CPU and said voltage changer (See Kim et al. figure 1 it is obvious that the CPU controller uses A/D for it's input and D/A for its output while interacting with analog devices shown).

6. Claims 6, 11, 16, 21 , 27, 32 and 38 are rejected under 35 U.S.C. 103(a) as being unpatentable over the combination of Kim et al. (6,265,833) and Ikeda in view of Poulton (5,702,323).

With regard to claims 6, 11 , 16, 21 , 27, 32 and 38, the combination of Kim et al and Ikeda. does not teach "wherein said information signal comprises a user's living-body information. However Poulton teaches, "wherein said information signal comprises a user's living-body information" (abstract, figure 5, item 230, column 2, lines 48-57, column 4, lines 3-10).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to use the optical sensor item 1 as illustrated by Kim to also keep track of body pads position as done by Poulton when implementing the system item 1 of Kim et al. because this limitation is merely directed towards an "OBVIOUS INTENDED USE" , of the combination of Kim et al. and Ikeda et al. as illustrated by Poulton, and further Poulton gives motivation in column 1, lines 5-10 for modifying the use the Kim item 1 which Poulton provided a further illustration of a additional "use" for the

information given by a optical sensor.

Response to Arguments

7. Applicant's arguments with respect to claims 5-39 have been considered but are moot in view of the new ground(s) of rejection.

In view of amendment, the reference of Ikeda has been added for new ground of rejection.


Inquiries


Any inquiry concerning this communication or earlier communications from the examiner should be directed to Chanh Nguyen whose telephone number is (571) 272-7772. The examiner can normally be reached on Monday- Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Sumati Lefkowitz can be reached on (571) 272-3638. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


Chanh Nguyen
Primary Examiner
Art Unit 2675


C. Nguyen
November 27, 2005